

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	
MELISSA A. GARNER,)	Case No. 06 B 08494
)	
Debtor.)	Judge Eugene R. Wedoff
)	

ORDER AWARDING SANCTIONS

THIS MATTER CAME TO BE HEARD on Debtor's motion for sanctions pursuant to 11 U.S.C. § 362(h) against Destiny Health and its agent, 1st Credit of America, for willful violation of the automatic stay. This Court having jurisdiction over the subject matter and having determined that this is a core proceeding under 28 U.S.C. 157(b)(2)(A) and (O) and due notice having been given and the Court being fully advised in the premises,

IT IS ORDERED:

1. Debtor's motion is granted.
2. For their willful violation of the automatic stay, Destiny Health and its agent, 1st Credit of America, is ordered to pay to Debtor MELISSA A. GARNER actual damages resulting from lost work and charges to her cell phone, and reasonable attorney fees incurred for prosecuting Debtor's motion.
3. Debtor is to file with the Court within 14 days a schedule of her damages and costs, including the reasonable attorney fees incurred in defending against the wrongful actions and willful inactions of Destiny Health and its agent, 1st Credit of America.
4. This matter is continued to _____, 2006 for a prove-up of damages that the Court shall award to Debtor pursuant to the mandatory and discretionary provisions of § 362(h).

5. At the hearing, the Court shall also consider what punitive damages, if any, should be levied on Destiny Health and its agent, 1st Credit of America.

Dated:

BY THE COURT

Eugene R. Wedoff
Bankruptcy Judge

This order was prepared by
Forrest L. Ingram, P.C.